

10-809856

## PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

KAN-002-B

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	19	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	10 minus 20 =	
INDEPENDENT CLAIMS	1 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
XS 9=	
X43=	
+145=	
TOTAL	385

RATE	FEE
BASIC FEE	770.00
XS18=	
X86=	
+290=	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

5-5-06

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	22 Minus	20	= 2
Independent	1 Minus	3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	Minus		=
Independent	Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	Minus		=
Independent	Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
XS 9=	
X43=	
+145=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
XS18=	
X86=	
+290=	
TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

United States Patent and Trademark Office  
- Sales Receipt -

05/11/2006 LHUMES 00000002 502101 10809856

01 FC:2202	50.00 DA
02 FC:1806	180.00 DA

MAY 05 2006

PATENT/OFFICIAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KANDIL, Osama  
Title: Lipid Fraction of Nigella sativa L. Seeds  
Appl. No.: 10/809,856  
Filing Date: March 26, 2004  
Examiner: LEITH, Patricia A.  
Art Unit: 1655  
Attorney Docket KAN-002-B

**MAIL STOP: AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Restriction Requirement dated April 7, 2006, response for which is due on or before May 8, 2006, please enter the following amendments and remarks:

Amendments to the claims are reflected in the listing of the claims which begins on page 2 of this paper; and

Remarks begin on page 5 of this paper.

Serial No. 10/809,856

Att. Dkt. No.: KAN-002-B

of using. Accordingly, Applicant requests that the Examiner resume consideration of the process of use claims 6-19 upon an indication of allowability of a claim 1 generic thereto.

### CONCLUSION


The outstanding Office Action set a one-month shortened statutory period for response, response being due on or before May 8, 2006 (May 7<sup>th</sup> being a Sunday). Accordingly, Applicants submit that this response is timely and no fee is required. However, in the event that further fees are required to enter the instant response and/or maintain the pendency of this application, the Commissioner is authorized to charge such fees to our Deposit Account No. 50-2101.

If the Examiner has any questions or concerns regarding this communication, he is invited to contact the undersigned.

Respectfully submitted,

Date: 05/05/06

Smith Patent Consulting, LLC  
P.O. Box 2726  
Alexandria, VA 22301  
Telephone: (703) 549-7691  
Facsimile: (703) 549-7692

By:   
Name: Chalin A. Smith  
Title: Attorney for Applicant  
Registration No. 41,569

CUSTOMER NUMBER 31,496

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PATENT/OFFICIAL

MAY 05 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KANDIL, Osama  
Title: Lipid Fraction of Nigella sativa L. Seeds  
Appl. No.: 10/809,856  
Filing Date: March 26, 2004  
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**MAIL STOP: AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449 (sheets 1-3). It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Accordingly, no certification or fee is required.

The non-patent literature listed on sheets 1 - 3 of Form PTO-1449 submitted herewith were submitted to the U.S. Patent and Trademark Office in Applicant's prior application Serial

Serial No.: 10/809,856

Attorney Docket No.: KAN-002-B

No. 10/029,885, filed December 31, 2001, now abandoned, which was directed to the same subject matter as the instant application and was examined by the same examiner (Examiner Patricia A. Leith, formerly Patricia A. Patten). Accordingly, Applicant submits that copies of these references are not required under 37 CFR 1.98(d). In addition, in accordance with the revised procedures under 37 CFR 1.98(a)(2)(i), copies of the cited U.S. patent references have not been provided.

In accordance with 37 C.F.R. §§ 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item, and Applicant reserves the right to prove that the date of publication is in fact different.

While Applicant respectfully submits that no fee is required, the Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 50-2101.

Respectfully submitted,

Date: 05/05/02By: 

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